#### BIRCH, STEWART, KOLASCH & BIRCH, LLP

PLEASE NOTE: YOU MUST COMPLETE THE FOLLOWING

Insert Title:

P.O. Box 747 • Falls Church, Virginia 22040-0747 Telephone: (703) 205-8000 • Facsimile: (703) 205-8050

### COMBINED DECLARATION AND POWER OF ATTORNEY FOR PATENT AND DESIGN APPLICATIONS

METHOD AND SYSTEM FOR PROVIDING PROTECTION IN AN OPTICAL COMMUNICATION NETWORK

As a below named inventor, I hereby declare that: my residence, post office address and citizenship are as stated next to my name; that I verily believe that I am the original, first and sole inventor (if only one inventor is named below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Fill in Appropriate	forth above and/or t	he following:	hereto. If not attached here	• •	•	_	number as set			
Information - For Use Without	The specification was filed onas United States Application Number;									
Specification	and amended on						) and/or			
Attached:	the specification	was filed on				as PCT				
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	amended by any am	enconcent referred	ved and understand the coll to above.	•			•			
	Kegulanons, 51.56.	I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Fede Regulations, \$1.56.								
	thereof or natented	or described in :	e the same was ever known any printed publication in e same was not in public ention has not been patent ontry foreign to the Unite twelve months (six month	any country be	fore my or our int	antion thoront or -	nore than one			
·	patent or inventor's application by me or	year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application, and that no application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to this application by me or my legal representatives or assigns, except as follows.  I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having								
	or inventor's certifica	te listed below a	nd have also identified bel	ited States Code ow any foreign :	, §119(a)-(d) of any application for pate	nt or inventor's cer	n(s) for patent tificaté having			
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	(Number)	(Country)		(Month/Day/Year Filed)		Yes	No			
	I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional applications(s) listed below.									
Insert Provisional	60/398,276			<u>ľuly 24, 2</u>	002					
Application(s): (if any)	(Application Number	r)		(Filing D	ate)					
	(Application Number)			(Filing Date)						
	All Foreign Applications, if any, for any Patent or Inventor's Certificate Filed More than 12 Months (6 Months for Designs) Prior to the Filing Date of This Application:									
	Country		Application Number		Date of Filing (Mo	onth/Day/Year)				
Insert Requested Information: (if appropriate)										
	Code, §112, I ackno	r United States at wledge the duty , §1.56 which be	e 35, United States Code, sted below and, insofar as ad/or PCT application in to to disclose information we came available between ation.	he manner provi hich is material	ided by the first pa to the patentabilit	ragraph of Title 35, y as defined in Titl	United States le 37, Code of			
Insert Prior U.S.		<del></del>								
Application(s): (if any)	(Application Number	r)	(Filing Date)		(Status - patented	, pending, abandon	ed)			
Page 1 of 2 (Rev. 12/2002)	(Application Numbe	r)	(Filing Date)		(Status - patented	, pending, abandon	ed)			

I hereby appoint the practitioners at CUSTOMER NO. 2292 and David Soltz (Reg. # 34,731) as my attorneys or agents to prosecute this application and r an international application based on this application and to transact all business in the United States Patent and Trademark Office connected therewith and in connection with the resulting patent based on instructions received from the entity who first sent the application papers to the practitioners, unless the inventor(s) or assignee provides said practitioners with a written notice to the contrary:

Send Correspondence to:

#### BIRCH, STEWART, KOLASCH & BIRCH, LLP or CUSTOMER NO. 2292

P.O. Box 747 • Falls Church, Virginia 22040-0747

Telephone: (703) 205-8000 • Facsimile: (703) 205-8050

PLEASE NOTE: YOU MUST COMPLETE THE FOLLOWING:

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

ull Name of First or Sole Inventor:	GIVÊN NAME/FAMILY NAME	INVENTOR'S SIGNATURE		DATE*				
uli Name of First or Sole Inventor: quert Name of Inventor: pert Onle This Document is Signed	Joseph BERTHOLD	INVENTOR'S SIGNATURE		DATE				
nsert Residence	Residence (City, State & Country)		CITIZENSHI	) ·				
nsert Citizemhip	Linthicum, Maryland, USA	0112211011						
nert Post Office Address	MAILING ADDRESS (Complete Street Addr	ess including City, State & Country)						
	1201 Winterson Road, Linthicum, Maryland,	USA						
all Name of Second	GIVEN NAME/FAMILY NAME	INVENTOR'S SIGNATURE		DATE*				
Inventor, if any: see above	Loudon BLAIR	INVENTOR'S SIGNATURE	<b>~</b> .	28 July 2003				
	Residence (City, State & Country)	<u> </u>	CITIZENSHI					
	Linthicum, Maryland, USA	·	u	. K.				
•	MAILING ADDRESS (Complete Street Addr	ess including City. State & Country)		•				
•	1201 Winterson Road, Linthicum, Maryland 21090, USA							
all Name of Third	GIVEN NAME/FAMILY NAME	INVENTOR'S SIGNATURE		DATE				
Inventor, if any: see above	Roger BAKOS	INVERVIOR'S SIGNATURE		DAILE.				
•	Residence (City, State & Country)		CITIZENSHI	p .				
	Linthicum, Maryland, USA		CITEDIAN	•				
	MAILING ADDRESS (Complete Street Address including City, State & Country)							
oly Diama of March	1201 Winterson Road, Linthicum, Maryland 21090, USA							
all Name of Yourth Inventor, if any: are above	GIVEN NAME/FAMILY NAME	INVENTOR'S SIGNATURE		DATE*				
	Residence (City, State & Country)		CITIZENSHII	2				
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il Name of Fifth	GIVEN NAME/FAMILY NAME	INVENTOR'S SIGNATURE		DATE				
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Page 2 of 2 (Rev. 12/2002)

<sup>\*</sup>DATE OF SIGNATURE

(Status - patented, pending, abandoned)

### BIRCH, STEWART, KOLASCH & BIRCH, LLP

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Insert Prior U.S.

Application(s):

(if any)

(Application Number)

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nsert Title:	METHOD AND SYSTEM FOR PROVIDING PROTECTION IN AN OPTICAL COMMUNICATION NETWORK						
'III in Appropriate	the specification of which is attached hereto. If not attached hereto, the application is identified by the forth above and/or the following:  The specification was filed on					es as ser as	
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				ntents of the above-identified specific			
	I acknowledge Regulations, §1.56.  I do not know a thereof, or patented year prior to this ap prior to this applica date of this applica representative or as patent or inventor's application by me or I hereby claim	and do not believe to or described in any oplication, that the inven- ation, that the inven- ation in any counts or more than two certificate on this in my legal represent foreign priority ber att listed below and	he same was ever known y printed publication in same was not in public tion has not been patent ry foreign to the Unite elve months (six month avention has been filed	ow any foreign application for paten	rica before my or intion thereof or mot America more to of America more to or's certificate issuation filled by me on, and that no a 1 States of America foreign application to inventor's cert	our invention core than one than one yea led before the or my lega pplication to a prior to thi u(s) for paten inicate having	
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	I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional applications(s) listed below.						
format Depositors - 1	60/398,276	July 24, 2002					
Insert Provisional Application(s): (if any)	(Application Number)			(Filing Date)			
	(Application Number)			(Filing Date)			
	All Foreign Applications, if any, for any Patent or Inventor's Certificate Filed More than 12 Months (6 Months for Designs) Prior the Filing Date of This Application:						
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w why observed	I hereby claim the continuation-in-par disclosed in the pri Code, \$112, I ack Federal Regulation international filing	benefit under Title rt application(s) list or United States an unwledge the duty is, \$1.56 which bed date of this application	35, United States Code, and below and, insofar a d/or PCT application in to disclose information viame available between thon.	\$120 of any United States and/or Is the subject matter of each of the the manner provided by the first pawhich is material to the patentabilit the filing date of the prior application.	CT application(s) claims of this appragraph of Title 35 y as defined in Title 35 y as defined in Title cation and the na	, including folication is not be under the state of the s	

(Filling Date)

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GIVEN NAME/FAMILY NAME	INVENTOR'S SIGNATI	URE	DATE*			
Joseph BERTHOLD	Jays 2	Buthold CITIZENSI	23July 2003			
Residence (City, State & Country)			TIP (			
Linthicum, Maryland, USA		20	A			
MAILING ADDRESS (Complete Street	et Address including City, State & Co	ountry)				
1201 Winterson Road, Linthicum, Ma	ryland, USA					
GIVEN NAME/FAMILY NAME	INVENTOR'S SIGNATI	URE	DATE*			
Loudon BLAIR						
Residence (City, State & Country)		CITIZENSI	HIP			
Linthicum, Maryland, USA						
MAILING ADDRESS (Complete Street	et Address including City, State & Co	ountry)				
1201 Winterson Road, Linthicum, Ma	ryland 21090, USA					
GIVEN NAME/FAMILY NAME	INVENTOR'S SIGNAT	URE	DATE*			
Roger BAKOS						
Residence (City, State & Country)		CITIZENS	HIP			
Linthicum, Maryland, USA						
MAILING ADDRESS (Complete Street	et Address including City, State & Co	ountry)				
1201 Winterson Road, Linthicum, Ma	iryland 21090, USA					
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Residence (City, State & Country)		CITIZENS	HIP			
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GIVEN NAME/FAMILY NAME	INVENTOR'S SIGNAT	TURE	DATE*			
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Fill in Appropriate	the specification of will forth above and/or the	hich is attached h ie following:	ereto. If not attached her	eto, the applicat	ion is identified by the	e attorney docket	number as set			
Information -	The specification	was filed on					as			
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Specification										
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	International Ap	plication Numbe	r		as PCT					
	amended on		<del></del>			(if ap	plicable)			
	I acknowledge t	I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.  I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal								
	Regulations, §1.56.  I do not know an	d do not believe	the same was ever know	n or used in the	United States of Amo	rica hafara m				
	year prior to this app prior to this application date of this application representative or assistance or assistance.	I do not know and do not believe the same was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representative or assigns more than twelve months (six months for designs) prior to this application, and that no application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to this application by me or my legal representatives or assigns, except as follows.  I hereby claim foreign priority benefits under Title 35, United States Code, \$119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.								
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	(Application Number)			(Filing Date)						
	All Foreign Applications, if any, for any Patent or Inventor's Cortificate Filed More than 12 Months (6 Months for Designs) Prior to the Filing Date of This Application:									
	Country		Application Number		Date of Filing (Mon	th/Day/Year)				
Insert Requested Information: (if appropriate)							<del></del>			
	I hereby claim the benefit under Title 35, United States Code, §120 of any United States and/or PCT application(s), including for continuation-in-part application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States and/or PCT application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to the patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.									
Insert Prior U.S.										
Application(s): (if any)	(Application Number)		(Filing Date)		(Status - patented, p	ending, abandone	d)			
Page I of 2	(Application Number)		(Filing Date)	<del></del>	(Status - natented, n	ending, abandone	d)			

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cull Name of Brist or Sole Inventor: regert Name of lavenior regert Date This Document is Signed	GIVEN NAME/FAMILY NAME  Joseph BERTHOLD	INVENTOR'S SIGNATURE		DATE*				
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nsert Post Office Address	MAILING ADDRESS (Complete Street Address	including City, State & Country)	<del></del>					
	1201 Winterson Road, Linthicum, Maryland, USA							
full Name of Second Inventor, if any:	GIVEN NAME/FAMILY NAME	INVENTOR'S SIGNATURE		DATE*				
see above	Loudon BLAIR	·						
	Residence (City, State & Country)	<u> </u>	CITIZENSHIP					
	Linthicum, Maryland, USA							
	MAILING ADDRESS (Complete Street Address including City, State & Country)							
	1201 Winterson Road, Linthicum, Maryland 21090, USA							
ull Name of Third Inventor, if any:	GIVEN NAME/FAMILY NAME	INVENTOR'S SIGNATURE		DATE*				
ave above	Roger BAKOS	STUTE		7/24/03				
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	1201 Winterson Road, Linthicum, Maryland 210	90, USA		•				
ull Name of Fourth Inventor, If any: see above	GIVEN NAME/FAMILY NAME	INVENTOR'S SIGNATURE		DATE*				
	Residence (City, State & Country)		CITIZENSHII					
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ull Name of Sixth Inventor, if any:	GIVEN NAME/FAMILY NAME	INVENTOR'S SIGNATURE		DATE*				
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Page 2 of 2 (Rev. 12/2002)

\*DATE OF SIGNATURE